

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:

David G. Chapman,

Debtor.

Chapter 13 Proceedings
Case No. 16-25232-beh

APPLICATION FOR APPROVAL OF ATTORNEY
FEES AS ADMINISTRATIVE EXPENSE

NOW COMES ESSERLAW LLC, Attorneys for the above-named Debtors, and makes application as follows:

1. That this case was filed on May 20, 2016.
2. That Counsel for Debtor has rendered services for Debtor in connection with:
 - Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - Assist debtor with potential settlement of Securant Bank lawsuit including miscellaneous telephone conferences with Attorney Fenzel and Attorney Erwin;
 - Preparation and filing of an emergency petition;
 - Preparation and filing of completed schedules, statement of financial affairs, statement of current monthly income and plan;
 - Representation of the debtor at the meeting of creditors;
 - Negotiations with secured creditors to reduce to market value; exemption planning; review of Notice of Intent to Pay Claims;
 - Preparation and filing of notice of motion and motion to sell property pursuant to §363(b) and notice to all creditors including miscellaneous telephone calls and emails to trustee regarding no objection, miscellaneous telephone conferences with title company regarding closing statement and proceeds of sale, review of closing documents;
 - Preparation and filing of notice of motion and motion to incur secured debt;
 - Preparation and filing of Amended Schedule F
3. That an itemized listing of the above-referenced services is attached hereto and incorporated herein by reference.

ESSERLAW LLC
11805 West Hampton Avenue
Milwaukee, WI 53225
Telephone (414) 461-7000
Facsimile (414) 461-8860

4. Applicant has expended in excess of 47.65 hours related to the services which are the subject of this application, plus costs advanced on behalf of the debtor in the amount of \$423 (\$310 filing fee plus \$53 credit report plus \$25 recorded mortgage plus \$35 satisfaction recording). Applicant has billed the Debtor \$300 per hour for senior attorney time (41.95 hours x \$300/hr = \$12,585), \$275 per hour for associate time (0 hours x \$275/hr = \$0), \$225 per hour for associate time (0 hours x \$225/hr = \$0) and \$125 per hour for legal assistant time (5.7 hours x \$125/hr = \$712.50).

5. Applicant has received a total of \$4,500 (\$4,500 debtor direct and \$0 which has already been provided for in the Plan) toward the services as itemized in this application. In addition, your applicant received the sum of \$423 to cover the costs of filing and other costs advanced on behalf of the Debtor as itemized in this application.

6. That based upon the foregoing, your applicant moves the Court for an order allowing the sum of \$13,297.50 as attorney fees plus \$423 for costs advanced on the Debtor's behalf for a total amount of \$13,720.50 against which should be applied the sum of \$4,923 received on account or which has already been provided for in the Plan, leaving a balance of \$8,797.50.

7. That the applicant be allowed to disburse the \$77 currently held in trust to pay toward the requested fees and the balance of the fees, **\$8,720.50** (\$8,797.50 less \$77), be allowed as an additional administrative expense to be paid inside the Plan

8. That in the event this case is dismissed, the Trustee shall use all available funds to pay applicant's attorneys fees as an administrative expense claim prior to the refund of any funds to the debtor.

Dated this 22 day of July, 2016.

ESSERLAW LLC
Attorneys for Debtor

By: /s/ Todd C. Esser
Todd C. Esser

ESSERLAW LLC
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Milwaukee, WI 53225-3612
Telephone: 414-461-7000
Fax: 414-461-8860

David G. Chapman
PO Box 214
Oconomowoc, WI 53066

7/18/2016
Invoice No. 20464

Client Number: 015-0258 David G. & Stephanie L. Chapman
Matter Number: 2016-0103 Chapman, David G. 2016 Chapter 13
For Services Rendered Through 7/18/2016.

Fees

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
4/6/2016	TCE	Telephone conf with Atty George Erwin re: pending lawsuit and motion for Summary Judgment and potential defenses	0.20	\$60.00
4/7/2016	TCE	Office consultation with client re: overview of financial transactions and case strategy and objectives; draft memo to file	2.00	\$600.00
4/8/2016	TCE	Attention to issues with transfers to trust	0.25	\$75.00
4/20/2016	TCE	Telephone conference with Stephanie re: concerns about case	0.30	\$90.00
4/21/2016	TCE	Telephone conf with Patty Savasta of US Probation re: financial disclosure form; note to file	0.10	\$30.00
4/27/2016	TCE	Telephone conf with Dave re: progress on case and disclosures; note to file	0.20	\$60.00
4/27/2016	TCE	Review and analysis of documentation and draft schedules;	2.00	\$600.00
4/27/2016	JS	Initial preparation of draft schedules including review of CCAP/Pacer, download and review of credit report, request for recorded deed/mortgages and detail analysis of documents provided and Attorney Esser's notes; TC with client re: same; scan documents	1.70	\$212.50
4/28/2016	TCE	Analysis of Statement of financial affairs disclosures	1.00	\$300.00

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5/3/2016	TCE	Preparation for telecon with client; Telephone conf with Atty Erwin re: pending litigation and settlement negotiations; telephone conf with client re: proforma schedules and settlement offer;	1.50	\$450.00
5/3/2016	TCE	Telephone conf with Stephanie re: pending offer and marital assets; note to file	0.25	\$75.00
5/5/2016	TCE	Review of new materials from client; telephone conf with Atty Erwin re: Residence trust and settlement; telephone call to client; draft abridged version of schedules for disclosure purposes; draft letter to Atty Joe Fenzel; telephone conf with client re: questions about disclosures, ownership of assets, undisclosed life ins trust, transfers of cars, valuation of assets, authorization to proceed with settlement; redraft disclosure documents, redraft letter,	2.50	\$750.00
5/6/2016	NAL	Telephone conference with Dave re: liquidation analysis	0.10	\$12.50
5/9/2016	TCE	Telephone conf with Attys Erwin and Fenzel re: rejection of settlement offer; notes to file; telephone call to client	0.50	\$150.00
5/9/2016	TCE	Telephone conf with client re: discussions with bank's atty and settlement issues; notes to file	0.50	\$150.00
5/9/2016	TCE	Telephone conf with Stephanie to review conversations with Atty Erwin and Dave; telephone conf with Atty Erwin re: possible 363(b) sale; analysis of filing and sale of condo on notice to creditors; telephone conf with Dave;	1.00	\$300.00
5/10/2016	JS	Receipt and review of recorded Deed and Mortgages; update schedules	0.30	\$37.50
5/10/2016	TCE	Telephone conf with Dave re: 363(b) sale, timing of filing and potential for wife to join filing	0.20	\$60.00
5/11/2016	JS	Receipt and review of additional documents provided; update schedules	0.40	\$50.00
5/12/2016	TCE	Preparation of schedules and terms of plan	1.50	\$450.00
5/13/2016	TCE	Attention to documentation from client and preparation of schedules and Statement of Financial Affairs; telephone conf with Atty Erwin re: requested pleadings in Securant Bank lawsuit; Telephone conf with client	4.00	\$1,200.00
5/16/2016	TCE	Review of Securant Bank pleadings, Motion for SJ, objection and supporting affidavit, prepare for meeting with client; Office consultation with client re: final review of supporting documentation, budget and projected income and terms of plan	2.50	\$750.00
5/17/2016	TCE	Review of additional materials from client, income projections, means test issues, NFS wages, telephone conf with client re: impending filing and Offer to Purchase new house/sell old house	1.00	\$300.00

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5/18/2016	JS	Receipt and review of 2015 Form 1040; update schedules	0.10	\$12.50
5/18/2016	TCE	Telephone conf with Stephanie re: impending sale of condo and purchase of house and how Ch 13 filing will complicate that process	0.30	\$90.00
5/18/2016	TCE	Telephone conf with Atty Erwin re: mtgs and filing; draft email with title info to Erwin	0.40	\$120.00
5/18/2016	TCE	Review of multiple emails with Atty Erwin and client re: pending motion hearing, sale of property and case filing	0.25	\$75.00
5/19/2016	TCE	Preparation for and office consultation with client for draft review of schedules and statement of financial affairs; telephone conf with Atty Erwin;	4.00	\$1,200.00
5/20/2016	NAL	File emergency petition; draft letter to Attorney Fenzel re: notice of filing; draft suggestion of bankruptcy and letter to court filing same; LM for Judge Lazar's clerk re: bankruptcy filing	0.40	\$50.00
5/20/2016	TCE	Attention to emails from client and Atty Erwin; telephone conf with client; draft email to Atty Erwin; attention to OTP; update property and statement of financial affairs	1.00	\$300.00
5/23/2016	TCE	Telephone conf with client re: Buyer's Atty having issues with title; note to file; Review Offer and telephone call to Atty Steven Steinhoff; telephone conf with client; attention to title issues	0.40	\$120.00
5/24/2016	TCE	Review means test issues and revise; telephone conference with Atty Steven Steinhoff re: offer to purchase; telephone conference with client re: change in health insurance premium and revisions to means test	1.50	\$450.00
5/25/2016	TCE	Telephone conf with Atty Erwin re: pending OTP;	0.10	\$30.00
5/25/2016	TCE	Attention to Means Test; Telephone conf with client re: line by line discussion of allowed deductions/expenses and pending status of OTP	0.75	\$225.00
5/26/2016	TCE	Telephone conf with Steve Edwards re: concerns about title and closing; note to file	0.25	\$75.00
5/26/2016	TCE	Preparation of plan terms; Office consultation with client re: review and execution of completed schedules and plan	2.75	\$825.00
5/27/2016	TCE	Attention to status of OTP; telephone conf with client and NFS re: impending continued negotiations; prepare Motion and Notice	0.40	\$120.00
5/27/2016	NAL	Filed completed schedules and plan; filed motion and notice for authority to sell pursuant to 363(b); notice creditors	0.40	\$50.00

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5/27/2016	TCE	Telephone conf with client re: meeting with Buyer; revise draft of Motion and Notice; review emails from client with Revised OTP; draft email to Atty Erwin; attention to final revisions to Plan and file	1.00	\$300.00
5/31/2016	NAL	Draft email to Atty Steinhoff with copy of motion to sell	0.10	\$12.50
5/31/2016	TCE	Review offer to purchase Wisconsin Ave property; draft motion to incur debt	0.40	\$120.00
6/1/2016	TCE	Revise motion to incur debt; telephone conference with Attorney Erwin re: ordering title commitment on Journeys Dr and Wisconsin Ave properties	0.30	\$90.00
6/1/2016	NAL	Filed motion and notice to incur debt; send notice to creditors	0.20	\$25.00
6/7/2016	NAL	Draft email to trustee with copies of accepted offers to purchases on Journeys Dr. and Wisconsin Ave. properties	0.10	\$12.50
6/7/2016	NAL	Draft letter to client re: filing and copies of schedules	0.20	\$25.00
6/7/2016	TCE	Review email from Atty Erwin regarding Contact Buyers Attorney for Patti Edwards; review of court docket to verify no objections filed and draft reply email to Atty Erwin	0.30	\$90.00
6/10/2016	TCE	Telephone conf with client re: pending sale, satisfaction of mortgage, notice to creditors, payments to trustee, closing	0.25	\$75.00
6/10/2016	TCE	Telephone conf with trustee Grossman re: impending sale and purchase of houses;	0.20	\$60.00
6/10/2016	TCE	Review of email from Atty Erwin's office and draft reply	0.20	\$60.00
6/14/2016	TCE	Telephone conference with client re: proposed closing statement, proceeds of sale; telephone message to Brian Tuth at Chicago Title re: closing documents	0.20	\$60.00
6/15/2016	NAL	Draft email to client re: 2015 tax returns and copies of Stephanie's pay stubs	0.10	\$12.50
6/15/2016	TCE	Receipt and review of email re closing date amendment for Wisconsin Ave house.	0.10	\$30.00
6/16/2016	TCE	Telephone conf with Duane Wunsch and Brian Thut of Chicago Title co re: disposition of proceeds of sale; review of prior email string; draft email to trustee Grossman and Atty Chris Schimke re: statement of no objection;	0.40	\$120.00
6/16/2016	KGH	Filed notice of change of address with court	0.10	\$12.50
6/17/2016	TCE	Draft email to Atty Schimke re: approval of distribution of proceeds to debtor from closing	0.20	\$60.00
6/17/2016	TCE	Review of email from Atty Erwin re: closing documents	0.10	\$30.00
6/18/2016	NAL	Draft amended Schedule F to include additional debt of Woods Properties LLC; draft email to client re: same	0.20	\$25.00

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6/20/2016	NAL	Draft email to trustee re: required 341 documents	0.20	\$25.00
6/20/2016	TCE	Telephone conf with client re: adjustments to closing statement and title company concerns; telephone confs with trustee's office re: affirmatively stating no objection to net proceeds being paid to debtor and non-filing spouse; note to file	0.30	\$90.00
6/21/2016	KGH	Draft letter to client re: 341 10 day reminder	0.10	\$12.50
6/21/2016	NAL	Filed aff of no objection to motion to sell and proposed order	0.20	\$25.00
6/21/2016	NAL	Filed amended Schedule F and affidavit of mailing	0.20	\$25.00
6/21/2016	TCE	Review multiple emails and draft responses re: closings	0.25	\$75.00
6/21/2016	TCE	Review of emails from client, Atty Erwin, Atty Schimke, re: closing, pro-forma closing docs, title commitment, pending motions,	0.25	\$75.00
6/21/2016	TCE	Receipt and review of email regarding Closing Documents from Brian Thut	0.10	\$30.00
6/21/2016	TCE	Receipt and review of email regarding changes to closing statement	0.10	\$30.00
6/22/2016	TCE	Receipt and review of email from client regarding Returned payment to trustee; draft reply	0.10	\$30.00
6/22/2016	TCE	Review of emails from client re: closings on purchase of Wisconsin Ave and sale of Journeys Drive and updated settlement statement	0.30	\$90.00
6/23/2016	NAL	Receipt of order authorizing debtor to sell Journeys Drive property; draft email to title company and Attorney Erwin	0.20	\$25.00
6/23/2016	TCE	Receipt and review of multiple emails from Brain Tuth at Chicago Title and debtor re: disposition of net proceeds from closing; multiple telephone conferences with client re: same; telephone conference with Lisa Peterson at Fidelity National re: same; draft emails to Brian Tuth and debtor re: same	1.00	\$300.00
6/28/2016	NAL	Filed aff of no objection and proposed order to incur debt	0.20	\$25.00
6/28/2016	TCE	Telephone call to client re: closing and pending meeting of creditors; draft email to client re: closing documents	0.20	\$60.00
6/29/2016	TCE	Receipt and review of letter and proposed Order from Attorney Erwin to Judge Lazar re: dismissal of Securant Bank action	0.20	\$60.00
6/30/2016	TCE	Follow up on signed copy of closing statement from sale of condo; telephone call to Kim Maycock; telephone conf with Dave Chapman	0.20	\$60.00

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Client Number: 015-0258
Matter Number: 2016-0103

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6/30/2016	TCE	Represent client at meeting of creditors; conference re: trustee's requested information; draft memo to file re: results of meeting and trustee's requests	1.50	\$450.00
6/30/2016	TCE	Review emails from client and Atty Erwin re: closing statements; review statements; draft email to same re: HUD statements	0.10	\$30.00
7/1/2016	TCE	Telephone conf with Atty Erwin re: loan /property closing	0.10	\$30.00
7/18/2016	NAL	Filed change of address with court	0.10	\$12.50
7/18/2016	NAL	Draft email to client re: request for additional documents from trustee	0.10	\$12.50

Billable Hours / Fees:	47.65	\$13,297.50
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Timekeeper Summary

Timekeeper JS worked 2.50 hours at \$125.00 per hour, totaling \$312.50.

Timekeeper KGH worked 0.20 hours at \$125.00 per hour, totaling \$25.00.

Timekeeper NAL worked 3.00 hours at \$125.00 per hour, totaling \$375.00.

Timekeeper TCE worked 41.95 hours at \$300.00 per hour, totaling \$12,585.00.

Client Number: 015-0258
Matter Number: 2016-0103

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TRUST ACTIVITY RECAP

<u>Date</u>	<u>Description</u>	<u>Deposit</u>	<u>Withdrawal</u>	<u>Balance</u>
				\$0.00
4/15/2016	Transfer from General; Check# 27030	\$500.00		\$500.00
5/24/2016	Copy recorded mortgage - Inv# 96831		\$25.00	\$475.00
	Our Check: 6177 Payee: Heritage Title Services, Inc.			
5/31/2016	Credit report		\$53.00	\$422.00
	Our Check: 6210 Payee: Credit Infonet			
5/31/2016	Recording fees - satisfaction - Inv# 98045		\$35.00	\$387.00
	Our Check: 6212 Payee: Heritage Title Services, Inc.			
6/17/2016	Filing fee		\$310.00	\$77.00
	Our Check: 6245 Payee: Chase Credit			

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:

David G. Chapman,

Chapter 13 Proceedings

Case No. 16-25232-beh

Debtor.

NOTICE OF REQUIREMENT FOR RESPONSE TO APPLICATION
FOR APPROVAL OF ATTORNEY FEES AS ADMINISTRATIVE EXPENSE

PLEASE TAKE NOTICE that Attorney Todd C. Esser has filed an Application for Approval of Attorney Fees as Administrative Expense. The attorney fees requested are as follows: \$13,297.50 as attorney fees plus \$423 for costs advanced on the Debtor's behalf for a total amount of \$13,720.50 less \$4,923 which has already been received on account or which has already been provided for in the Plan leaving a balance of \$8,797.50 less \$77 currently held in trust and providing for payment of \$8,720.50 as an administrative expense inside the debtor's Plan. The services were incurred April 6, 2016 through July 18, 2016. A copy of the Application along with an itemization of the fees and expenses can be viewed at the office of the Clerk United States Bankruptcy Court, Room 126, 517 East Wisconsin Avenue, Milwaukee, WI. If you have an objection/response to the Application for Approval of Attorney Fees as Administrative Expense, you are required to file that objection/response within 21 days of the date of this notice. Your objection/response should be filed with:

Clerk, United States Bankruptcy Court
Room 126, Federal Building
517 East Wisconsin Avenue
Milwaukee, WI 53202

You must also mail a copy of your objection/response to:

ESSERLAW LLC
11805 West Hampton Avenue
Milwaukee, WI 53225

If you do not file a timely objection/response, the Court may sign the order approving the application for attorney fees as administrative expense.

PLEASE TAKE FURTHER NOTICE that a hearing will be scheduled on any timely objection/response. Notice of the hearing will be provided to the objecting party and any other interested parties.

Dated this 22 day of July, 2016.

ESSERLAW LLC
Attorneys for Debtor

By: /s/ Todd C. Esser
Todd C. Esser

ESSERLAW LLC
11805 West Hampton Avenue
Milwaukee, WI 53225
Telephone (414) 461-7000
Facsimile (414) 461-8860

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:

David G. Chapman,

Debtor.

Chapter 13 Proceedings
Case No. 16-25232-beh

AFFIDAVIT OF MAILING

STATE OF WISCONSIN)
) SS:
MILWAUKEE COUNTY)

The undersigned, being first duly sworn on oath, says on the 26 day of July, 2016, she placed the **NOTICE OF REQUIREMENT FOR RESPONSE TO APPLICATION FOR APPROVAL OF ATTORNEY FEES AS ADMINISTRATIVE EXPENSE**, a copy of which is now on file herein, in an envelope postpaid for first class handling which bore the sender's name and return address and deposited said envelope and the contents thereof in the U.S. Mail, or served electronically, if the party accepts electronic service to the following:

Mary B. Grossman, Trustee

David G. Chapman
PO Box 214
Oconomowoc, WI 53066

See attached list

/s/ Nancy A. Lipinski
Affiant

Subscribed and sworn before me
this 26 day of July, 2016.

/s/ Todd C. Esser
Notary Public, State of Wisconsin
My commission: is permanent

ESSERLAW LLC
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Milwaukee, WI 53225
Telephone (414) 461-7000
Facsimile (414) 461-8860

American Express
Attn: Correspondence
PO Box 981540
El Paso, TX 79998

Arizona Department of Revenue
1600 West Monroe Street
Phoenix, AZ 85007

Barclays Bank Delaware
PO Box 8801
Wilmington, DE 19899

Buchan Trucking LLC
2787 East Main Street
East Troy, WI 53120

Gerald J. Buchan, Jr.
PO Box 315
East Troy, WI 53120-0315

Bureau Of Medical Economics
Po Box #20247
Phoenix, AZ 85036

Central States Mortgage
10425 W. North Ave.
Milwaukee, WI 53226

Stephanie Chapman
PO Box 214
Oconomowoc, WI 53066

Cramer, Multhauf & Hammes, LLP
Daniel J. Habeck
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Waukesha, WI 53186-6800

David G. Chapman LLC
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Sedona, AZ 86351

Educators Credit Union
1326 Willow Rd.
Mt. Pleasant, WI 53177

Jerome Gebhardt
9715 Gulf Shore Drive
Naples, FL 34108

Geier, Homar & Roy LLP
Timothy M. Homar
635 Water Street
Sauk City, WI 53583-0458

Synchrony Bank
c/o Recovery Management Systems Corporation
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Harbor Point Condo Association
PO Box 551
Hartland, WI 53029

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

JL Fairview LLC
10425 W. North Avenue #246
Wauwatosa, WI 53226

Joseph E. Fenzel S.C.
Joseph E. Fenzel
757 North Broadway #201
Milwaukee, WI 53202

Christine Krause
14660 Hilside Road
Elm Grove, WI 53122

Greg Ksicinski
510 Heather Glen Court
Waukesha, WI 53188

Richard Mathews
RD Investments Ltd
6252 Lakehorst Dr.
Davenport, IA 52807

Mayfair 2200 Building LLC
10930 W. Potter Road, Suite B
Wauwatosa, WI 53226

Mayfair Rd Properties LLC
12 Canyon Creek Court
Sedona, AZ 86351-9228

Mid-America Bank
2317 Milton Avenue
Janesville, WI 53545

Monty Titling Trust 1
AKA BMO Harris Bank N.A.
c/o Capital Crossing Servicing Company
99 High Street
Boston, MA 02110

AMERICAN EXPRESS CENTURION BANK
C/O BECKET AND LEE LLP
PO BOX 3001
MALVERN PA 19355-0701

Mortle Trucking Inc.
W176 S7408 Lake Drive
Muskego, WI 53150

Grant and Lori Munkwitz
34725 Elm Street
Oconomowoc, WI 53066

R&D Investments Limited LLC
6252 Lakehurst Drive
Davenport, IA 52807

Patty Savasta
US Probation Officer
517 East Wisconsin Avenue
Milwaukee, WI 53202

Schmidt, Darling & Erwin
George B. Erwin, III
2300 North Mayfair Road #1175
Milwaukee, WI 53226

Securant Bank & Trust
6001 W. Capitol Dr.
Milwaukee, WI 53216

Small Business Association
801 Tom martin Drive, Suite 120
Birmingham, AL 35211

Dennis M. Bush f/b/o The Woods Properties
c/o Colliers International
1243 N. 10th Street #300
Milwaukee, WI 53205

Town Bank
417 N. Genesee Street
Delafield, WI 53018

Adrian Velasquez
14660 Hilside Road
Elm Grove, WI 53122

Wisconsin Department of Revenue
Special Procedures Unit
PO Box 8901
Madison, WI 53708-8901

Wood Properties LLC
10930 W. Potter Road
Wauwatosa, WI 53226

State of Wisconsin Dept of Corrections
Division of Community Corrections
3099 E. Washington Ave.
PO Box 7925
Madison, WI 53707